

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed May 31, 2002 ("Office Action"). At the time of the Office Action, Claims 1-20 were pending in the application. In the Office Action, the Examiner rejects Claims 1-20. In order to advance prosecution of this case, Applicant amends Claims 2 and 14. Applicant does not admit that these amendments are the result of any prior art reference. Applicant respectfully requests reconsideration and favorable action in this case.

Section 103 Rejections

The Examiner rejects Claims 1, 3, 5-7, 9, 10, 12, 14, 16, 17 and 19 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,192,414 issued to Horn ("*Horn*") and in view of U.S. Patent No. 6,230,181 issued to Mitchell et al. ("*Mitchell*"). Applicant respectfully requests reconsideration of this rejection of Claims 1, 3, 5-7, 9, 10, 12, 14, 16, 17 and 19.

Claim 1 recites, in part, "A system for communicating management information, comprising . . . a first interface card . . . a second interface card . . . and a management card coupled to the first interface card and the second interface card, the management card operable to . . . establish a communication link between a client and a particular one of the first interface card and the second interface card selected in response to a command communicated by the client . . . and communicate management information using the communication link." The *Horn-Mitchell* combination fails to teach, suggest, or disclose these aspects of Claim 1.

At the outset, Applicant respectfully traverses the Examiner's position that *Horn* discloses a "management card." The cited portions of *Horn* disclose nothing more than generic "network cards" none of which qualify as a "management card." At any rate, the Examiner acknowledges that *Horn* fails to teach, suggest, or disclose the functionality of a "management card" as recited in Claim 1. (Office Action, ¶ 2). The Examiner therefore relies upon *Mitchell* to reject these aspects of Claim 1. As to *Mitchell*, Applicant respectfully submits that the Examiner misunderstands various aspects of *Mitchell*. It appears that the Examiner performs a keyword search of the term "management card" to locate a reference, *Mitchell*, that is not even remotely related to the elements of Claim 1.

For example, *Mitchell* is limited to a “system for shutting down and resetting an embedded system.” (Abstract; col. 4, ll. 58-60). To perform this shutdown operation of the “embedded system 10,” *Mitchell* relies upon a “reset button 32” and a “reset management system.” (Col. 3, ll. 37-42). The “embedded system 10” of *Mitchell* includes “network interface card (NIC) 22,” “network application card (NAC) 23,” “modem network interface cards 24, 26,” “modem network application cards 26, 27” and “gateway card 50” which communicate with each other “via a high speed internal chassis bus system 19.” (Col. 3, l. 58 through col. 4, l. 3). The “chassis may optionally have a management card for managing the operation of the chassis.” (Col. 4, ll. 7-8). It is this “management card” of *Mitchell* that the Examiner equates with the “management card” of Claim 1. The Examiner’s reliance upon the “management card” of *Mitchell* for this purpose is misplaced. The “management card” of *Mitchell* includes the “reset push button 32” and “status display 34” in order to “manage reset lines that are dedicated to individual cards.” (Col. 4, ll. 8-14). Therefore, the “management card” of *Mitchell* is limited to enabling the “shutdown and reset operations” of “embedded system 10.”

“Shutdown” and “reset” operations as described by *Mitchell* have nothing to do with the management techniques of Claim 1. On the contrary, the “management card” of *Mitchell* actually teaches away from various elements of Claim 1. The Manual of Patent Examining Procedure (hereinafter “the MPEP”) states that “[a] prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention.” MPEP § 2141.02. In particular, Claim 1 recites, in part, “a management card . . . operable to . . . **establish** a communication link between a client and a particular one of the first interface card and the second interface card selected in response to a command communicated by the client.” By shutting down and resetting the embedded system 10 to resemble a “power off condition” (col. 1, l. 40), the “management card” of *Mitchell* effectively **destroys** existing communication links. In this regard, *Mitchell* actually teaches away from a “management card . . . operable to **establish** a communication link,” as recited, in part, in Claim 1.

Furthermore, the *Horn-Mitchell* combination fails to teach, suggest, or disclose several elements of Claim 1. For example, the *Horn-Mitchell* combination fails to teach, suggest, or disclose, “a communication link between a client and a particular one of the first

interface card and the second interface card selected in response to a command communicated by the client,” as recited, in part, in Claim 1. Indeed, the *Horn-Mitchell* combination fails to even contemplate a “client,” a “command communicated by the client,” or an interface card “selected in response to a command communicated by the client.” For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claim 1.

Claims 3 and 5-6 depend from Claim 1, shown above to be allowable, and recite further limitations that are patentably distinct from the *Horn-Mitchell* combination. For example, the *Horn-Mitchell* combination fails to teach, suggest, or disclose a “processor . . . operable to **configure the management information** for the operating system of the network device associated with the particular interface card,” as recited, in part, in Claim 3. Moreover, the *Horn-Mitchell* combination fails to teach, suggest, or disclose “wherein the management information comprises information used to configure a network device associated with the particular interface card,” as recited, in part, in Claim 6. The Examiner cites the “programmable logic device” (“PLD”) of *Mitchell* (col. 6, ll. 66-67 and col. 7, ll. 1-10) to reject Claims 3 and 6. (Office Action, ¶ 3 and ¶ 5). However, the cited portions of *Mitchell* offer no information regarding configuring “management information” or configuring a “network device.” Instead, the cited portions merely state that the “PLD may be programmed to implement a state machine,” and that the “state machine . . . may be implemented using . . . software” such as software written in “VHDL.” (Col. 7, ll. 3-10). Such an implementation of a state machine using software fails to teach, suggest, or disclose configuring “management information” or configuring a “network device.” For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claims 3 and 5-6.

Claim 7 recites, in part, “A method for communicating management information performed by a management card, comprising . . . receiving a command from a client, the command identifying a particular one of a first interface card and a second interface card . . . establishing a communication link between the client and the particular interface card in response to receiving the command . . . and communicating management information using the communication link.” The *Horn-Mitchell* combination fail to teach, suggest, or disclose these aspects of Claim 7. As stated above, the Examiner misunderstands various aspects of the *Mitchell* reference which actually teaches away from “establishing a communication link between the client and the particular interface card,” as recited, in part, in Claim 7. For at

least these reasons, and for those stated above with regard to Claim 1, Applicant respectfully requests reconsideration and allowance of Claim 7.

Claims 9, 10 and 12 depend from Claim 7, shown above to be allowable. For at least these reasons, and for those stated above with regard to Claims 3 and 5-6, Applicant respectfully requests reconsideration and allowance of Claims 9, 10 and 12.

Amended Claim 14 recites, in part, "A management card, comprising . . . a switch coupled to a first interface card and a second interface card . . . and a processor coupled to the switch and operable to . . . receive a command communicated by a client, the command identifying a particular one of the first interface card and the second interface card . . . and command the switch to establish the communication link between the client and the particular interface card." The *Horn-Mitchell* combination fails to teach, suggest, or disclose these aspects of Claim 14. As stated above, the Examiner misunderstands various aspects of the *Mitchell* reference which actually teaches away from a "processor . . . operable to . . . command the switch to **establish** a communication link between the client and the particular interface card," as recited, in part, in Claim 14.

Moreover, nowhere does the *Horn-Mitchell* combination teach, suggest, or disclose "a switch coupled to a first interface card and a second interface card," as recited, in part, in Claim 14. The Examiner simply ignores this limitation of Claim 14. This is impermissible. "All words in a claim must be considered in judging the patentability of that claim against the prior art." M.P.E.P. § 2143.03 (citing *In re Wilson*, 424 F.2d 1382, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970)). Applicant respectfully submits that the switch 140 of U.S. Patent No. 6,393,483 to Latif et al ("*Latif*"), although not specifically relied upon by the Examiner, does not overcome the deficiencies of the *Horn-Mitchell* combination. As described below with regard to Claim 2, the switch 140 of *Latif* is located "within network 110" (col. 6, ll. 13-17). In this regard, switch 140 of *Latif* is nothing more than a traditional network switch (col. 6, ll. 31-35). Such a traditional network switch is not a part of a "management card" as recited in amended Claim 14. For at least these reasons, and for those stated above with regard to Claim 1, Applicant respectfully requests reconsideration and allowance of amended Claim 14.

Claims 16, 17 and 19 depend from amended Claim 14, shown above to be allowable. For at least these reasons, and for those stated above with regard to Claims 3 and 5-6, Applicant respectfully requests reconsideration and allowance of Claims 16, 17 and 19.

The Examiner rejects Claims 2, 4, 8, 11, 13, 18, 15 and 20 under 35 U.S.C. §103(a) as being unpatentable over *Horn, Mitchell*, and in view of U.S. Patent No. 6,393,483 issued to Latif ("*Latif*"). Applicant respectfully requests reconsideration of this rejection of Claims 2, 4, 8, 11, 13, 18, 15 and 20.

Amended Claim 2 recites, in part, "wherein the management card comprises . . . a switch operable to establish the communication link between the client and one of a first port and a second port of the management card . . . a memory operable to store mapping information associating the first port with the first interface card and the second port with the second interface card . . . and a processor coupled to the memory and the switch, the processor operable to . . . receive the command identifying a particular interface card . . . determine the port associated with the particular interface card using the mapping information . . . and command the switch to establish the communication link between the client and the determined port." The Examiner acknowledges that the *Horn-Mitchell* combination fails to teach, suggest, or disclose these aspects of Claim 2. (Office Action, ¶ 11). The Examiner therefore relies upon *Latif* to reject these aspects of Claim 2. The Examiner's reliance upon *Latif* is misplaced.

At the outset, the Examiner fails to consider each and every limitation of Claim 2. "All words in a claim must be considered in judging the patentability of that claim against the prior art." M.P.E.P. § 2143.03. In particular, Claim 2 recites, in part, "wherein the **management card** comprises . . . a switch . . . a memory . . . and a processor." *Latif* simply fails to consider a "management card." For example, the switch 140 of *Latif* is located "within network 110" (col. 6, ll. 13-17) not as a part of a "management card" as recited in Claim 2. In this regard, switch 140 of *Latif* is nothing more than a traditional network switch (col. 6, ll. 31-35). Moreover, amended Claim 2 recites, in part, "wherein the management card comprises . . . a switch operable to establish the communication link between the client and one of a first port and a second port **of the management card**." The traditional network switch 140 of *Latif* transmits data from one of multiple ports **of a particular NIC** to a host. (col. 6, ll. 47-67), but simply fails to establish a communication link between a client

and a port “**of the management card.**” Amended Claim 2 further recites, “a processor . . . operable to . . . receive the command identifying a particular interface card.” The cited portions of *Latif* simply fail to disclose such a “command identifying a particular interface card.” (Col. 6, ll. 13-67). For at least these reasons, and because Claims 2 and 4 depend from Claim 1 shown above to be allowable, Applicant respectfully requests reconsideration and allowance of Claims 2 and 4.

Claims 8, 11, and 13 depend from Claim 7 shown above to be allowable. For at least these reasons and for those stated above with regard to amended Claim 2, Applicant respectfully requests reconsideration and allowance of Claims 8, 11, and 13.

Claims 15, 18, and 20 depend from amended Claim 14 shown above to be allowable. For at least these reasons and for those stated above with regard to amended Claim 2, Applicant respectfully requests reconsideration and allowance of Claims 15, 18, and 20.

CONCLUSION

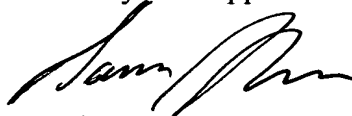
Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Samir A. Bhavsar, Attorney for Applicant, at the Examiner's convenience at (214) 953-6581.

Although no fees are believed due, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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MARKED UP SPECIFICATION AND CLAIMS

In the Claims

For the convenience of the Examiner, all claims have been presented whether or not an amendment has been made. Please amend the claims as follows:

1. A system for communicating management information, comprising:
a first interface card;
a second interface card; and
a management card coupled to the first interface card and the second interface card,
the management card operable to:
establish a communication link between a client and a particular one of the first
interface card and the second interface card selected in response to a command
communicated by the client; and
communicate management information using the communication link.
2. **(Amended)** The system of Claim 1, wherein the management card
comprises:
a switch operable to establish the communication link between the client and one of a
first port and a second port **of the management card**;
a memory operable to store mapping information associating the first port with the
first interface card and the second port with the second interface card; and
a processor coupled to the memory and the switch, the processor operable to:
receive the command identifying a particular interface card;
determine the port associated with the particular interface card using the
mapping information; and
command the switch to establish the communication link between the client
and the determined port.

3. The system of Claim 2, wherein:
the first interface card is coupled to a first network device that uses a first operating system;
the second interface card is coupled to a second network device that uses a second operating system; and
the processor is further operable to configure the management information for the operating system of the network device associated with the particular interface card.
4. The system of Claim 1, wherein the communication link comprises a serial communication path.
5. The system of Claim 1, wherein the command comprises information selecting one of the first interface card and the second interface card.
6. The system of Claim 1, wherein the management information comprises information used to configure a network device associated with the particular interface card.

7. A method for communicating management information performed by a management card, comprising:

receiving a command from a client, the command identifying a particular one of a first interface card and a second interface card;

establishing a communication link between the client and the particular interface card in response to receiving the command; and

communicating management information using the communication link.

8. The method of Claim 7, further comprising storing mapping information that associates a first port of a switch with the first interface card and a second port of the switch with the second interface card, the step of establishing a communication link comprising determining the port associated with the particular interface card using the mapping information and establishing the communication link between the client and the determined port using the switch.

9. The method of Claim 7, wherein:

the first interface card is coupled to a first network device that uses a first operating system;

the second interface card is coupled to a second network device that uses a second operating system; and

further comprising configuring the management information for the operating system of the network device associated with the particular interface card.

10. The method of Claim 7, further comprising operating the client to generate the command and the management information.

11. The method of Claim 7, wherein the communication link comprises a serial communication path.

12. The method of Claim 7, wherein the command comprises information selecting one of the first interface card and the second interface card.

13. The method of Claim 7, wherein the management information comprises information used to configure a network device associated with the particular interface card.

14. (Amended) A management card, comprising:

a switch coupled to a first interface card and a second interface card; and

a processor coupled to the switch and operable to:

receive a command communicated by [the] a client, the command identifying a particular one of the first interface card and the second interface card; and

command the switch to establish the communication link between the client and the particular interface card.

15. The management card of Claim 14, wherein:

the switch comprises a first port coupled to the first interface card and a second port coupled to the second interface card, the switch operable to establish the communication link between a client and one of the first port and the second port;

the management card further comprises a memory coupled to the processor and operable to store mapping information that associates the first port with the first interface card and the second port with the second interface card; and

the processor is further operable to:

determine the port associated with the particular interface card using the mapping information; and

command the switch to establish the communication link between the client and the determined port.

16. The management card of Claim 14, wherein the processor is further operable to communicate management information using the communication link.

17. The management card of Claim 14, wherein:

the first interface card is coupled to a first network device that uses a first operating system;

the second interface card is coupled to a second network device that uses a second operating system; and

the processor is further operable to configure the management information for the operating system of the network device associated with the particular interface card.

18. The management card of Claim 14, wherein the communication link comprises a serial communication path.

19. The management card of Claim 14, wherein the command comprises information selecting one of the first interface card and the second interface card.

20. The management card of Claim 14, wherein the management information comprises information used to configure a network device associated with the particular interface card.